



# STATE OF CONNECTICUT NEWS RELEASE

Attorney General Richard Blumenthal  
Department of Consumer Protection  
Commissioner Edwin R. Rodriguez

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THURSDAY, JULY 8, 2004

## ***STATE TAKES IMMEDIATE ACTION AGAINST DOCTOR WHO ILLEGALLY BILLED AND SUED PATIENTS***

Attorney General Richard Blumenthal and Department of Consumer Protection (DCP) Commissioner Edwin R. Rodriguez filed a lawsuit today against a Bridgeport plastic surgeon who illegally billed and sued patients for payments in excess of the co-payments and deductibles allowed under their managed health care plans or Medicaid. This balance billing violates the Connecticut Unfair Trade Practices Act (CUTPA).

Dr. Charles D. Gianetti sued almost 200 patients after they refused to pay illegally excessive bills. About 45 suits are pending and 146 are inactive or resolved.

In one of Gianetti's lawsuits a Superior Court judge ruled that the balance billing was a CUTPA violation and ordered Gianetti to pay the patient.

"This physician treats his patients with an unconventional all-purpose cure – he sues them," Blumenthal said. "Dr. Gianetti's victims are patients who did not legally owe the money he charged, because they had paid their insurance premiums or relied on Medicaid for the full costs of treatment. In some instances, patients were treated by Dr. Gianetti only because they required emergency room care, not even choosing him as their doctor."

"Dr. Gianetti sought to bully patients into paying more than he had agreed to charge in his contracts with insurers and Medicaid. This abusive practice is intolerable – and ought to be treated with tough legal medicine in court."

"Health care costs are skyrocketing for Connecticut residents," Commissioner Rodriguez said. "These callous acts of fraud hurt not only the immediately affected individuals but all of us as well, in the form of higher insurance premiums that are passed down to consumers. We hope to send a

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**clear message to the medical community that this practice will not be tolerated, and violators will be brought swiftly to justice.”**

**The Attorney General’s lawsuit seeks an order requiring Gianetti to pay restitution to every patient that paid excessively, a \$5,000 civil penalty for each willful CUTPA violation and to pay the costs for the investigation and legal fees. The lawsuit also requests that the court force Gianetti to cease these CUTPA violations.**

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